

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable William A. Stone, Acting Presiding Justice; Honorable Nickolas J. Dibiaso, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Nick A. Grigsby, Deputy Clerk.

**F028487      People v. Lopez**

Cause called and argued by Hilda Scheib, Esq., counsel for appellant. Robert Whitlock, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

**F028947      People v. Martinez**

**F029442      People v. Prieto**

Cause called. All parties having waived oral argument.

Cause ordered submitted.

Court recessed until Wednesday, May 12, 1999 at 2:00 P.M.

The court reconvened in its courtroom at 2:00 P.M. Present: Honorable William A. Stone, Acting Presiding Justice; Honorable Nickolas J. Dibiaso, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Diana Monopoli, Deputy Clerk.

**F029326      Brown v. Shell**

Cause called. Motion to dismiss filed by Respondent is denied. The case will be decided on its merits.

Matter argued by James F. Tritt, Esq., counsel for appellant and by Walter W. Whelan, Esq., counsel for respondent.

Cause ordered submitted.

At this point Dibiaso, J. leaves the bench and is replaced by Wiseman, J.

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**F032134      Troy Vickery, et al. v. Superior Court, County of Merced; Gaestel Motor Co., Inc.**

Cause called and argued by William M. Krieg, Esq., counsel for petitioner and by Gregory J. Goodwin, Esq., counsel for real party.

Cause ordered submitted.

**F032152      Razzari-Visalia, Inc, et al., v. Superior Court of Tulare County; Michael C. Daugherty, Sr., et al.**

Cause called and argued by Gregory J. Goodwin, Esq., counsel for petitioner and by William M. Krieg, Esq., counsel for real party.

Cause ordered submitted.

Court recessed until Thursday, May 13, 1999 at 10:00 A.M.

**F032520      Ewell, et al. v. Ewell**

Pursuant to written stipulation of the parties hereto, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F031835      In re Jason B.**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F029630      People v. Murray**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F032023      In re Carlos O., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F033029      Wimbley v. Terhune**

Appellant having failed to perform the acts necessary to procure the record after the clerk of the trial court issued notice pursuant to the provisions of rule 10(c), California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F029805      In re Zachary W.**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.